

REMARKS

Applicants respectfully request reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections. No claims have been amended. Claims 1-11 and 31 have been canceled without prejudice. Claims 32-42 have been added. Thus, claims 32-42 are pending.

Claim Objections

The Office Action objects to claim 3 for reference to “a second” in line 2. Claim 3 is canceled herein, rendering moot the objection as applied to claim 3. Therefore, Applicants respectfully request that this objection be withdrawn.

35 U.S.C. §112 Rejections

Rejections under 35 U.S.C. §112, ¶1

The Office Action rejects claim 10 under 35 U.S.C. §112, ¶1 for failure to meet the enablement requirement. Claim 10 is canceled herein, rendering moot the rejection. Therefore, Applicants request that the above 35 U.S.C. §112, ¶1 rejection be withdrawn.

Rejections under 35 U.S.C. §112, ¶1

The Office Action rejects claims 1-11 and 31 under 35 U.S.C. §112, ¶2 as being indefinite for failure to point out and distinctly claim that which Applicants regard as their invention. Each of claims 1-11 and 31 are canceled herein, rendering moot the above rejection. Therefore, Applicants respectfully request that the above 35 U.S.C. §112, ¶2 rejection be withdrawn.

35 U.S.C. §102 Rejections

35 U.S.C. §102(b) Rejection over *Baermann*

The Office Action rejects claims 1, 2, 4, 5, 8, 9, 11, and 31 under 35 U.S.C. §102(b) as being anticipated by Baermann, USPN 4,638,281 ("*Baermann*"). Claims 1, 2, 4, 5, 8, 9, 11, and 31 are canceled herein, rendering moot the above rejection. Therefore, Applicants request that the above 35 U.S.C. §102(b) rejection of claims 1, 2, 4, 5, 8, 9, 11, and 31 based on *Baermann* be withdrawn.

35 U.S.C. §102(b) Rejection over *Taneda*

The Office Action further rejects claims 1 and 7 under 35 U.S.C. §102(b) as being anticipated by Taneda et al., USPN 5,046,235 ("*Taneda*"). Claims 1 and 7 are canceled herein, rendering moot the above rejection. Therefore, Applicants request that the above 35 U.S.C. §102(b) rejection of claims 1 and 7 based on *Taneda* be withdrawn.

35 U.S.C. §103(a) Rejections

35 U.S.C. §103(a) Rejection over *Baermann*

The Office Action rejects claim 6 under §103(a) as being obvious in light of *Baermann*. Claim 6 is canceled herein, rendering moot the above rejection. Therefore, Applicants request that the above 35 U.S.C. §103(a) rejection of claim 6 based on *Baermann* be withdrawn.

New Claims

Applicants have added new claims 32-42. It is Applicants' understanding that new claims 32-42 are each allowable in view of the references cited in the Office Action. New claims 32-42 are variously supported in the original disclosure at least by FIGS. 3, 4 and 7 and by page 8, line 9 to page 10, line 10 and page 11, line 15 to page 12, line 12 of the specification. Applicants respectfully submit that neither of the references cited in the Office Action anticipates claims 32-42 under 35 U.S.C. §102 or renders the claims obvious under 35 U.S.C. §103.

New claims 32-42 include independent claim 32, which states in a salient portion (emphasis added):

“...mechanically restraining a first permanent magnet block...from moving in either a first direction...or in a second direction..., the first and second directions **defining a plane**, the first permanent magnet block having a first magnetic orientation;

moving the **restrained first permanent magnet block** with respect to the **restrained plurality** of permanent magnet blocks, the moving in a third direction **not parallel to the plane**, the moving to put the first permanent magnet block into a position proximate to the restrained plurality of permanent magnet blocks so as **to form a desired angle** between the first magnetic orientation and a magnetic orientation of one of the plurality of permanent magnet blocks;...”

Applicants respectfully submit that *Bearmann* nor *Taneda* both **fail** to disclose at least one of the above claim limitations. *Bearmann*, for example, fails to disclose moving permanent magnet blocks so as to form **a desired angle** between a magnetic orientation of a first permanent magnet block and a magnetic orientation of one of a plurality of permanent magnet blocks. More particularly, *Baermann* selectively orients components “**to provide a predetermined induction value** as measured at a predetermined distance outwardly of the carrier or with adjacent poles as determined by discretely located Hall probes” *See* Abstract (emphasis added). Therefore, any moving of magnets in *Baermann* is to achieve predetermined induction values, **regardless** of any angles of magnetic orientation between any two given magnets.

Furthermore, *Taneda*, for example, fails to disclose moving a **restrained** first permanent magnet block with respect to a **restrained** plurality of permanent magnet blocks, the moving in a third direction **not** parallel to a plane of restraint on the first permanent magnet block, the moving to put the first permanent magnet block into a position **proximate** to the restrained plurality of permanent magnet blocks. For at least the foregoing reasons, neither of the references anticipates or renders obvious claim 32. In depending directly or indirectly from claim 32, each of claims 33-42 incorporate at least one limitation which is not anticipated or made obvious by either *Baermann* or *Taneda*. Accordingly, each of claims 32-42 is allowable in view of the references cited in the Office Action.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the objections and rejections have been overcome. Therefore, claims 32-42 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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